

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,**

Plaintiff,

v.

BRIAN J. STUCKE,

Defendant.

**Case No. 2:03-CV-1161
Judge Sargus
Magistrate Judge Abel**

ORDER

The Court, having reviewed the Motion to Disburse Funds to Pay Tax Obligations and Fees and Expenses of Tax Administrator (doc. 31), and the supporting Declaration of Jude P. Damasco in Support of Request to Reserve Tax Payments and Fees (the "Declaration"), and for good cause shown,

IT IS HEREBY ORDERED:

1. The Clerk of the Court shall issue a check on Court Registry account number [REDACTED] 17, under the case name designation "Securities & Exchange Comm. vs. Brian Stucke," for the amount of \$3,900 payable to "Damasco & Associates, Trust Account" for the payment of reserve funds to pay projected tax obligations and projected fees and the expenses of the Tax Administrator. The check shall contain a notation stating the case name and number of this action and an Employer Identification Number, to be provided by the Commission's counsel to the Clerk of the Court.

2. The Clerk shall send the check by overnight mail to:

Damasco & Associates LLP
700 Monte Vista Lane
Half Moon Bay, CA 94019
Phone: 650-726-4100

3. The Commission's counsel shall provide the Court Registry with the necessary overnight shipping information and the Commission's billing number.

4. Within twenty-one (21) days of payment of all remaining penalties, interest and fees, the Tax Administrator shall pay any remaining balance to U.S. Bank, as paying agent for the trustee of the post-confirmation trusts created in In re National Century Financial Enterprises, Inc., Case No. 02-65235 (Bankr. S.D. Ohio), for distribution on a pro rata basis solely to the injured investors in asset-backed notes issued by NPF VI and NPF XII. Counsel for the Commission will provide the Tax Administrator with the mailing address and additional information necessary to make the payment ordered by this paragraph.

Dated: 12-2-2008



EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE